

Rick Erdmann (*in pro persona*)
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Telephone: (702) 755-5030

Plaintiff (*in pro persona*)
RICK ERDMANN

**UNITED STATES DISTRICT COURT
DISTRICT COURT OF NEVADA**

RICK ERDMANN,

Plaintiff,

v.

THE LINCOLN NATIONAL LIFE
INSURANCE COMPANY,

Defendant.

Civil Action No.: 2:17-cv-02383-JAD-PAL

**EMERGENCY STIPULATION AND
JOINT MOTION TO CONTINUE
SCHEDULING CONFERENCE
CURRENTLY SET FOR JANUARY 16,
2018 BY 60 DAYS**

Come now the parties and, after conference of counsel, jointly request that the Court continue the Scheduling Conference in this matter for a period of 60 days pending substitution of counsel. In support hereof, the parties show the Court as follows:

1. This is a suit for declaratory relief under an ERISA-governed employee benefit plan pursuant to 29 U.S.C. §1132(a)(1) and (3).

2. On December 29, 2017, Plaintiff, Rick Erdman substituted himself *in pro persona*, in place and stead of attorneys Robert J. Rosati and Trevor Hatfield [Dkt. 21].

3. On January 5, 2018 the Court granted the request of Plaintiff Rick Erdman to represent himself (Dkt. 22).

4. Plaintiff's prior counsel, Robert J. Rosati, has referred this litigation matter to the California law firm of Kantor & Kantor, LLP, with Plaintiff Rick Erdmann's approval.

5. Kantor & Kantor has contacted Las Vegas, Nevada lawyer Julie Mersch, and she has agreed to substitute into the case as local counsel, and Glenn R. Kantor of Kantor & Kantor will be substituted into the case as lead counsel as soon as his *pro hac vice* application is submitted and approved by the Court.

6. Kantor & Kantor has conferred with counsel for The Lincoln National Life Insurance Company, regarding the need to continue the currently scheduled January 16, 2018 Scheduling Conference.

WHEREFORE, the parties jointly request that the Court continue the January 16, 2018 Scheduling Conference for 60 days to a date convenient for the Court's calendar.

IT IS SO STIPULATED.

DATED: January 11, 2018

RICK ERDMANN (*in pro persona*)

By: /s/ Rick Erdmann
Rick Erdmann
Plaintiff (*in pro persona*)

DATED: January 11, 2018

MESERVE, MUMPER & HUGHES LLP

By: /s/AnnaMaria Martin
Anna Maria Martin
Attorneys for Defendant
THE LINCOLN NATIONAL
INSURANCE COMPANY


Pursuant to Local Rule IC 5-1(d) regarding signatures, Rick Erdmann hereby attests that concurrence in the filing of this document and its content has been obtained by all signatories listed.

ORDER

IT IS SO ORDERED.

The Court hereby continues the January 16, 2018 Scheduling Conference to the date of March 27, 2018, at 9:00 a.m., in Courtroom 3B.

DATED: January 12, 2018


PEGGY A. LEEN
U.S. MAGISTRATE JUDGE

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RICK ERDMANN

**UNITED STATES DISTRICT COURT
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RICK ERDMANN,

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THE LINCOLN NATIONAL LIFE
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Civil Action No.: 2:17-cv-02383-JAD-PAL

**DECLARATION OF GLENN R.
KANTOR IN SUPPORT OF
EMERGENCY STIPULATION AND
JOINT MOTION TO CONTINUE
SCHEDULING CONFERENCE
CURRENTLY SET FOR JANUARY 16,
2018 BY 60 DAYS**

I, Glenn R. Kantor, hereby declare as follows:

1. I am an attorney at law duly licensed to practice before all courts in the State of California. I am one of the founding partners of the law firm of Kantor & Kantor, LLP. I have personal knowledge of the facts set forth herein and if called as a witness, I could and would competently testify thereto.

1. The facts stated in the concurrently filed Emergency Stipulation and Joint Motion to Continue Scheduling Conference Currently Set for January 16, 2018 by 60 Days are correct, true and accurate.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 10th day of January, 2018 at Northridge, California.

/s/ Glenn R. Kantor
Glenn R. Kantor